

[First Reprint]
SENATE, No. 841

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

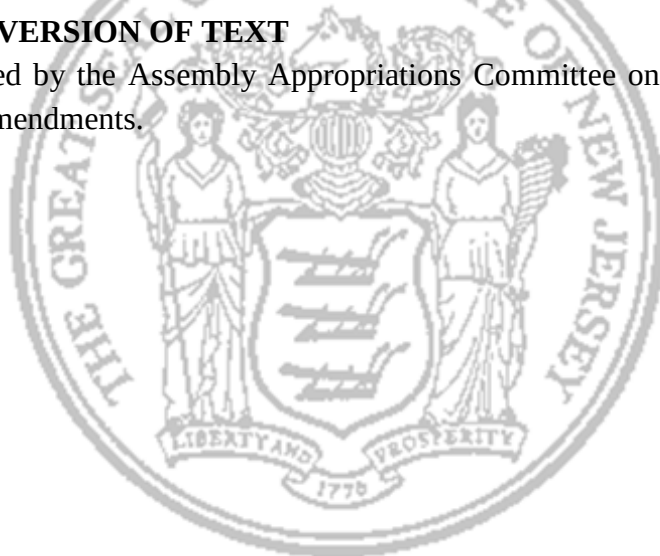
Assemblywoman Downey

SYNOPSIS

Requires direct payment of homestead credit to claimant following sale of qualifying homestead and upon claimant request.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on December 13, 2021, with amendments.



(Sponsorship Updated As Of: 12/20/2021)

1 AN ACT requiring the direct payment of a homestead credit to the
2 claimant if the claimant requests the direct payment following
3 the sale of the qualifying homestead, and amending P.L.1990,
4 c.61.

5

6 BE IT ENACTED by the Senate and General Assembly of the State
7 of New Jersey:

8

9 1. Section 7 of P.L.1990, c.61 (C.54:4-8.63) is amended to read as
10 follows:

11 7. a. The State Treasurer annually on or before October 31, upon
12 certification of the director and upon warrant of the Director of the
13 Division of Budget and Accounting, shall pay and distribute the
14 amount of a homestead rebate payable under this act that is claimed for
15 the prior tax year to each claimant whose rebate is approved by the
16 director.

17 b. A homestead credit allowed by the Director of the Division of
18 Taxation to a claimant who claimed a homestead credit pursuant to
19 section 3 of P.L.1990, c.61 (C.54:4-8.59), and whose homestead is not
20 a unit in a cooperative, mutual housing corporation or continuing care
21 retirement community, shall be paid by the State Treasurer, through
22 electronic funds transfer made by the director to the local property tax
23 account maintained by the local tax collector for the homestead of the
24 claimant as the claimant shall identify, in equal installments after the
25 application for the credit has been approved, at the dates and in the
26 manner as the director shall determine to best coincide with the next
27 local property tax quarterly due dates of August 1 and November 1.
28 Notice of payments of credit installments shall be provided to the
29 claimant and the appropriate local tax collector.

30 c. Notwithstanding subsection b. of this section, the director shall
31 provide a homestead benefit under this act as a credit only if the
32 director can ensure that the benefit will be applied to the appropriate
33 taxpayer. Otherwise, the director may remit a homestead benefit to an
34 eligible taxpayer as a rebate. Provided further, the director shall remit
35 a homestead benefit directly to an eligible taxpayer by paper check,
36 prepaid debit card, electronic direct deposit into the taxpayer's bank
37 account or any other disbursement method that the director may deem
38 appropriate, if the taxpayer: (1) sells, after the taxpayer's application
39 for a homestead benefit, the homestead for which the taxpayer
40 qualified for a homestead benefit; and (2) notifies the director ¹at least
41 105 days¹ prior to the payment of the homestead benefit, on a form to
42 be developed and furnished by the director, of the sale and the
43 taxpayer's election to directly receive the homestead benefit.

44 d. Notwithstanding subsection b. of this section, a resident
45 homeowner of this State who is 65 years of age or older at the close of

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAP committee amendments adopted December 13, 2021.

1 the tax year or who is allowed to claim a personal deduction as a blind
2 or disabled taxpayer pursuant to subsection (b) of N.J.S.54A:3-1, shall
3 receive the credit in the form of a rebate payment in calendar year
4 2007, but will receive credits in future years starting in calendar year
5 2008, unless the claimant elects in the claimant's homestead credit
6 application to receive a rebate.

7 e. Notwithstanding subsection b. of this section, if the director
8 determines that homestead benefits for a particular tax year cannot be
9 administered and delivered as credits efficiently, the director may
10 remit homestead benefits for that year as rebates.

11 (cf: P.L.2007, c.62, s.25)

12

13 2. This act shall take effect immediately.